Date:	Thu, 12 Dec 2024 9:48:00 PM (UTC)
Sent:	Thu, 12 Dec 2024 9:48:44 PM (UTC)
Subject:	RE: Options for Zenith holds
From:	Oliveira, Donnie
To:	King, Lauren <Lauren.King@portlandoregon.gov >;
CC:	Brown, Kelly <Kelly.Brown@portlandoregon.gov >;

Hey Lauren,

I would like to offer a few options for hybrid briefing meetings to the councilors-elect. Do any of these work for you?

The idea is that we would mainly answer questions following up on your initial briefing.

Thanks,

Donnie Oliveira | he/him
Deputy City Administrator
503.593.1869

From: Brown, Kelly <Kelly.Brown@portlandoregon.gov >
Sent: Thursday, December 12, 2024 12:40 PM
To: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
Subject: Options for Zenith holds

- Monday 12/16
  - 8-9am (if you can swing that; reschedule our 1:1)
  - 12-1pm (reschedule our lunch after the holidays – which I'm totally fine with)
- Tues 12/17 –
  - 8-9am (if you can swing that), or
  - 10-11am (if you end up cancelling GPI)
  - Some portion of the budget work session, if you can get away
- Wed 12/18
  - 9-11sm, if you don't need to be at Council (we have 2 items on consent, plus a pre-gavel tribute to Biko Taylor)

These are the only options I see, unless you wanted to schedule after the swearing in or late Friday afternoon (which I don't think you do.) Let me know what you think.

Thanks,

Kelly Brown (she/her)
Executive Assistant to DCA Donnie Oliveira

City of Portland
Community & Economic Development
971-610-7111
kelly.brown@portlandoregon.gov

The City of Portland is committed to providing meaningful access. To request translation, interpretation, modifications, accommodations, or other auxiliary aids or services, contact 311 (503-823-4000), for Relay Service & TTY: 711.

Date:	Thu, 12 Dec 2024 9:52:50 PM (UTC)
Sent:	Thu, 12 Dec 2024 9:52:48 PM (UTC)
Subject:	RE: Options for Zenith holds
From:	King, Lauren <Lauren.King@portlandoregon.gov >
To:	Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >;
CC:	Brown, Kelly <Kelly.Brown@portlandoregon.gov >; McCoppen, Allison <Allison.McCoppen@portlandoregon.gov >;

I can make any of those times work on Tuesday and Wednesday.

LAUREN KING | SENIOR DEPUTY CITY ATTORNEY (She/Her)
PORTLAND OFFICE OF THE CITY ATTORNEY
1221 SW Fourth Avenue, Room 430
Portland, OR 97204
Voice: 503-823-3069 | Fax: 503-823-3089
lauren.king@portlandoregon.gov

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From: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
Sent: Thursday, December 12, 2024 1:49 PM
To: King, Lauren <Lauren.King@portlandoregon.gov >
Cc: Brown, Kelly <Kelly.Brown@portlandoregon.gov >
Subject: RE: Options for Zenith holds

Hey Lauren,

I would like to offer a few options for hybrid briefing meetings to the councilors-elect. Do any of these work for you?

The idea is that we would mainly answer questions following up on your initial briefing.

Thanks,

Donnie Oliveira | he/him
Deputy City Administrator
503.593.1869

From: Brown, Kelly <Kelly.Brown@portlandoregon.gov >
Sent: Thursday, December 12, 2024 12:40 PM
To: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
Subject: Options for Zenith holds

- Monday 12/16
  - 8-9am (if you can swing that; reschedule our 1:1)
  - 12-1pm (reschedule our lunch after the holidays – which I'm totally fine with)

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These are the only options I see, unless you wanted to schedule after the swearing in or late Friday afternoon (which I don't think you do.) Let me know what you think.

Thanks,

Kelly Brown (she/her)
Executive Assistant to DCA Donnie Oliveira

City of Portland
Community & Economic Development
971-610-7111
kelly.brown@portlandoregon.gov



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Date:	Thu, 12 Dec 2024 10:10:00 PM (UTC)
Sent:	Thu, 12 Dec 2024 10:10:07 PM (UTC)
Subject:	RE: Options for Zenith holds
From:	Oliveira, Donnie
To:	King, Lauren <Lauren.King@portlandoregon.gov >;
CC:	Brown, Kelly <Kelly.Brown@portlandoregon.gov >; McCoppen, Allison <Allison.McCoppen@portlandoregon.gov >;

Thanks Lauren.

Kelly, please put a hold and grab rm 500 for 10-11 on Tuesday and Wednesday for Lauren, Mike J. (as a FYI), Lori Brocker, David K., and Sam Chase and then be prepared to add councilors as they pick an option. For the hold:

Hold one of two options for background information on Zenith Energy Title V air permit and city related processes.

I am going to email newly electeds to offer the two options shortly and ask them to respond with an option.

Donnie Oliveira | he/him
Deputy City Administrator
503.593.1869

From: King, Lauren <Lauren.King@portlandoregon.gov >
Sent: Thursday, December 12, 2024 1:53 PM
To: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
Cc: Brown, Kelly <Kelly.Brown@portlandoregon.gov >; McCoppen, Allison <Allison.McCoppen@portlandoregon.gov >
Subject: RE: Options for Zenith holds

I can make any of those times work on Tuesday and Wednesday.

LAUREN KING | SENIOR DEPUTY CITY ATTORNEY (She/Her)
PORTLAND OFFICE OF THE CITY ATTORNEY
1221 SW Fourth Avenue, Room 430
Portland, OR 97204
Voice: 503-823-3069 | Fax: 503-823-3089
lauren.king@portlandoregon.gov

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From: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
Sent: Thursday, December 12, 2024 1:49 PM
To: King, Lauren <Lauren.King@portlandoregon.gov >
Cc: Brown, Kelly <Kelly.Brown@portlandoregon.gov >

Subject: RE: Options for Zenith holds

Hey Lauren,

I would like to offer a few options for hybrid briefing meetings to the councilors-elect. Do any of these work for you?

The idea is that we would mainly answer questions following up on your initial briefing.

Thanks,

Donnie Oliveira | he/him
Deputy City Administrator
503.593.1869

From: Brown, Kelly <Kelly.Brown@portlandoregon.gov >
Sent: Thursday, December 12, 2024 12:40 PM
To: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
Subject: Options for Zenith holds

- Monday 12/16
  - 8-9am (if you can swing that; reschedule our 1:1)
  - 12-1pm (reschedule our lunch after the holidays – which I'm totally fine with)
- Tues 12/17 –
  - 8-9am (if you can swing that), or
  - 10-11am (if you end up cancelling GPI)
  - Some portion of the budget work session, if you can get away
- Wed 12/18
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Thanks,

Kelly Brown (she/her)
Executive Assistant to DCA Donnie Oliveira

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Community & Economic Development
971-610-7111
kelly.brown@portlandoregon.gov

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Sent:	Thu, 12 Dec 2024 10:41:46 PM (UTC)
Subject:	Zenith Energy Briefing - Option 1
From:	Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
To:	King, Lauren <Lauren.King@portlandoregon.gov >; Brocker, Lori <Lori.Brocker@portlandoregon.gov >; Kuhnhausen, David <David.Kuhnhausen@portlandoregon.gov >; Chase, Sam <Sam.Chase@portlandoregon.gov >;
CC:	Jordan, Michael <Michael.Jordan@portlandoregon.gov >;
Location:	Microsoft Teams Meeting
Start Time:	Tue, 17 Dec 2024 6:00:00 PM (UTC)
End Time:	Tue, 17 Dec 2024 7:00:00 PM (UTC)
Duration:	60
Timezone:	(UTC-08:00) Pacific Time (US & Canada)

Hold one of two options for background information on Zenith Energy Title V air permit and city related processes.

Microsoft Teams Need help?

Join the meeting now

[redacted]

[redacted]

For organizers: Meeting options | Reset dial-in PIN
Org help | Privacy and security

Date: Thu, 12 Dec 2024 10:41:53 PM (UTC)
Sent: Thu, 12 Dec 2024 10:41:47 PM (UTC)
Subject: Zenith Energy Briefing - Option 1
From: Brown, Kelly <Kelly.Brown@portlandoregon.gov >
To: McCoppen, Allison <Allison.McCoppen@portlandoregon.gov >;

Hold one of two options for background information on Zenith Energy Title V air permit and city related processes.

Microsoft Teams Need help?

Join the meeting now

[redacted]

[redacted]

For organizers: Meeting options | Reset dial-in PIN
Org help | Privacy and security

Date:	Thu, 12 Dec 2024 10:41:47 PM (UTC)
Subject:	Zenith Energy Briefing - Option 1
From:	Brown, Kelly
To:	King, Lauren <Lauren.King@portlandoregon.gov >; Brocker, Lori <Lori.Brocker@portlandoregon.gov >; Kuhnhausen, David <David.Kuhnhausen@portlandoregon.gov >; Chase, Sam <Sam.Chase@portlandoregon.gov >;
CC:	Jordan, Michael <Michael.Jordan@portlandoregon.gov >;

Hold one of two options for background information on Zenith Energy Title V air permit and city related processes.

Microsoft Teams Need help?

Join the meeting now

[redacted]

[redacted]

For organizers: Meeting options | Reset dial-in PIN
Org help | Privacy and security

Sent:	Thu, 12 Dec 2024 10:41:49 PM (UTC)
Subject:	Zenith Energy Briefing - Option 1
From:	Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
To:	Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >; King, Lauren <Lauren.King@portlandoregon.gov >; Brocker, Lori <Lori.Brocker@portlandoregon.gov >; Kuhnhausen, David <David.Kuhnhausen@portlandoregon.gov >; Chase, Sam <Sam.Chase@portlandoregon.gov >; Morillo, Angelita <councilor.morillo@portlandoregon.gov >; Avalos, Candace <councilor.avalos@portlandoregon.gov >; Evenstar, Jamey <Jamey.Evenstar@portlandoregon.gov >; Beyer, Megan <Megan.Beyer@portlandoregon.gov >;
CC:	Jordan, Michael <Michael.Jordan@portlandoregon.gov >; Wilson, Keith <Mayor.Wilson@portlandoregon.gov >; Taft, Kristopher <Kristopher.Taft@portlandoregon.gov >; Kris Taft <kris@keithwilsonformayor.com > <kris@keithwilsonformayor.com >; Engstrom, Eric <Eric.Engstrom@portlandoregon.gov >; Armstrong, Tom <Tom.Armstrong@portlandoregon.gov >; Miller, Andre <Andre.Miller3@portlandoregon.gov >; Brown, Kelly <Kelly.Brown@portlandoregon.gov >;
BCC:	PB LG 20 ppl - AV & Video Camera - Rm 500 <PBRM500@portlandoregon.gov >;
Location:	Microsoft Teams Meeting; PB LG 20 ppl - AV & Video Camera - Rm 500
Start Time:	Tue, 17 Dec 2024 6:00:00 PM (UTC)
End Time:	Tue, 17 Dec 2024 7:00:00 PM (UTC)
Duration:	60
Timezone:	(UTC-08:00) Pacific Time (US & Canada)

Hold one of two options for background information on Zenith Energy Title V air permit and city related processes.

Microsoft Teams Need help?

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[redacted]

[redacted]

For organizers: Meeting options | Reset dial-in PIN
Org help | Privacy and security

Sent:	Thu, 12 Dec 2024 10:41:49 PM (UTC)
Subject:	Zenith Energy Briefing - Option 2
From:	Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
To:	King, Lauren <Lauren.King@portlandoregon.gov >; Brocker, Lori <Lori.Brocker@portlandoregon.gov >; Kuhnhausen, David <David.Kuhnhausen@portlandoregon.gov >; Chase, Sam <Sam.Chase@portlandoregon.gov >; Green, Mitchell <councilor.green@portlandoregon.gov >; Koyama Lane, Tiffany <councilor.koyamalane@portlandoregon.gov >;
CC:	Jordan, Michael <Michael.Jordan@portlandoregon.gov >; Armstrong, Tom <Tom.Armstrong@portlandoregon.gov >; Engstrom, Eric <Eric.Engstrom@portlandoregon.gov >; Kris Taft <kris@keithwilsonformayor.com > <kris@keithwilsonformayor.com >; Taft, Kristopher <Kristopher.Taft@portlandoregon.gov >; Wilson, Keith <Mayor.Wilson@portlandoregon.gov >; Rozzell, Matt <Matthew.Rozzell@portlandoregon.gov >;
BCC:	PB LG 20 ppl - AV & Video Camera - Rm 500 <PBRM500@portlandoregon.gov >;
Location:	Microsoft Teams Meeting; PB LG 20 ppl - AV & Video Camera - Rm 500
Start Time:	Wed, 18 Dec 2024 6:00:00 PM (UTC)
End Time:	Wed, 18 Dec 2024 7:00:00 PM (UTC)
Duration:	60
Timezone:	(UTC-08:00) Pacific Time (US & Canada)

Hold one of two options for background information on Zenith Energy Title V air permit and city related processes.

Microsoft Teams Need help?

Join the meeting now

[redacted]

[redacted]

For organizers: Meeting options | Reset dial-in PIN
Org help | Privacy and security

Sent:	Thu, 12 Dec 2024 10:41:50 PM (UTC)
Subject:	Zenith Energy Briefing - Option 1
From:	Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
To:	Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >; King, Lauren <Lauren.King@portlandoregon.gov >; Brocker, Lori <Lori.Brocker@portlandoregon.gov >; Kuhnhausen, David <David.Kuhnhausen@portlandoregon.gov >; Chase, Sam <Sam.Chase@portlandoregon.gov >;
CC:	Jordan, Michael <Michael.Jordan@portlandoregon.gov >;
Location:	Microsoft Teams Meeting
Start Time:	Tue, 17 Dec 2024 6:00:00 PM (UTC)
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Duration:	60
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Hold one of two options for background information on Zenith Energy Title V air permit and city related processes.

Microsoft Teams Need help?

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[redacted]

[redacted]

For organizers: Meeting options | Reset dial-in PIN
Org help | Privacy and security

Date: Thu, 12 Dec 2024 10:41:55 PM (UTC)
Sent: Thu, 12 Dec 2024 10:41:51 PM (UTC)
Subject: Zenith Energy Briefing - Option 2
From: Brown, Kelly <Kelly.Brown@portlandoregon.gov >
To: McCoppen, Allison <Allison.McCoppen@portlandoregon.gov >;

Hold one of two options for background information on Zenith Energy Title V air permit and city related processes.

Microsoft Teams Need help?

Join the meeting now

[redacted]

[redacted]

For organizers: Meeting options | Reset dial-in PIN
Org help | Privacy and security

Date:	Thu, 12 Dec 2024 10:41:51 PM (UTC)
Subject:	Zenith Energy Briefing - Option 2
From:	Brown, Kelly
To:	King, Lauren <Lauren.King@portlandoregon.gov >; Brocker, Lori <Lori.Brocker@portlandoregon.gov >; Kuhnhausen, David <David.Kuhnhausen@portlandoregon.gov >; Chase, Sam <Sam.Chase@portlandoregon.gov >;
CC:	Jordan, Michael <Michael.Jordan@portlandoregon.gov >;

Hold one of two options for background information on Zenith Energy Title V air permit and city related processes.

Microsoft Teams Need help?

Join the meeting now

[redacted]

[redacted]

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Org help | Privacy and security

Sent:	Thu, 12 Dec 2024 10:41:52 PM (UTC)
Subject:	Zenith Energy Briefing - Option 2
From:	Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
To:	Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >; King, Lauren <Lauren.King@portlandoregon.gov >; Brocker, Lori <Lori.Brocker@portlandoregon.gov >; Kuhnhausen, David <David.Kuhnhausen@portlandoregon.gov >; Chase, Sam <Sam.Chase@portlandoregon.gov >; Green, Mitchell <councilor.green@portlandoregon.gov >; Koyama Lane, Tiffany <councilor.koyamalane@portlandoregon.gov >;
CC:	Jordan, Michael <Michael.Jordan@portlandoregon.gov >; Armstrong, Tom <Tom.Armstrong@portlandoregon.gov >; Engstrom, Eric <Eric.Engstrom@portlandoregon.gov >; Kris Taft <kris@keithwilsonformayor.com > <kris@keithwilsonformayor.com >; Taft, Kristopher <Kristopher.Taft@portlandoregon.gov >; Wilson, Keith <Mayor.Wilson@portlandoregon.gov >; Rozzell, Matt <Matthew.Rozzell@portlandoregon.gov >;
BCC:	PB LG 20 ppl - AV & Video Camera - Rm 500 <PBRM500@portlandoregon.gov >;
Location:	Microsoft Teams Meeting; PB LG 20 ppl - AV & Video Camera - Rm 500
Start Time:	Wed, 18 Dec 2024 6:00:00 PM (UTC)
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Timezone:	(UTC-08:00) Pacific Time (US & Canada)

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Microsoft Teams Need help?

Join the meeting now

[redacted]

[redacted]

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Org help | Privacy and security

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Subject:	Zenith Energy Briefing - Option 2
From:	Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
To:	Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >; King, Lauren <Lauren.King@portlandoregon.gov >; Brocker, Lori <Lori.Brocker@portlandoregon.gov >; Kuhnhausen, David <David.Kuhnhausen@portlandoregon.gov >; Chase, Sam <Sam.Chase@portlandoregon.gov >; Green, Mitchell <councilor.green@portlandoregon.gov >; Koyama Lane, Tiffany <councilor.koyamalane@portlandoregon.gov >;
CC:	Jordan, Michael <Michael.Jordan@portlandoregon.gov >; Armstrong, Tom <Tom.Armstrong@portlandoregon.gov >; Engstrom, Eric <Eric.Engstrom@portlandoregon.gov >; Kris Taft <kris@keithwilsonformayor.com > <kris@keithwilsonformayor.com >; Taft, Kristopher <Kristopher.Taft@portlandoregon.gov >; Wilson, Keith <Mayor.Wilson@portlandoregon.gov >; Rozzell, Matt <Matthew.Rozzell@portlandoregon.gov >;
BCC:	PB LG 20 ppl - AV & Video Camera - Rm 500 <PBRM500@portlandoregon.gov >;
Location:	Microsoft Teams Meeting; PB LG 20 ppl - AV & Video Camera - Rm 500
Start Time:	Wed, 18 Dec 2024 6:00:00 PM (UTC)
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Microsoft Teams Need help?

Join the meeting now

[redacted]

[redacted]

For organizers: Meeting options | Reset dial-in PIN
Org help | Privacy and security

Date:	Thu, 12 Dec 2024 10:44:34 PM (UTC)
Subject:	Zenith Energy Briefing - Option 1
From:	Brown, Kelly
To:	King, Lauren <Lauren.King@portlandoregon.gov >; Brocker, Lori <Lori.Brocker@portlandoregon.gov >; Kuhnhausen, David <David.Kuhnhausen@portlandoregon.gov >; Chase, Sam <Sam.Chase@portlandoregon.gov >;
CC:	Jordan, Michael <Michael.Jordan@portlandoregon.gov >;
BCC:	PB LG 20 ppl - AV & Video Camera - Rm 500 <PBRM500@portlandoregon.gov >;

Hold one of two options for background information on Zenith Energy Title V air permit and city related processes.

Microsoft Teams Need help?

Join the meeting now

[redacted]

[redacted]

For organizers: Meeting options | Reset dial-in PIN
Org help | Privacy and security

Date: Thu, 12 Dec 2024 10:44:43 PM (UTC)
Sent: Thu, 12 Dec 2024 10:44:34 PM (UTC)
Subject: Zenith Energy Briefing - Option 1
From: Brown, Kelly <Kelly.Brown@portlandoregon.gov >
To: McCoppen, Allison <Allison.McCoppen@portlandoregon.gov >;

Hold one of two options for background information on Zenith Energy Title V air permit and city related processes.

Microsoft Teams Need help?

Join the meeting now

[redacted]

[redacted]

For organizers: Meeting options | Reset dial-in PIN
Org help | Privacy and security

Date: Thu, 12 Dec 2024 10:51:55 PM (UTC)

Sent: Thu, 12 Dec 2024 10:51:48 PM (UTC)

Subject: OFFER: Zenith Energy Background Briefing (two options)

From: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >

To: 'candaceforportland@gmail.com' <candaceforportland@gmail.com >; Jamie Dunphy <jamiedunphy@gmail.com >; 'lorettajsmith9@gmail.com' <lorettajsmith9@gmail.com >; 'sameer@kanalforportland.com' <sameer@kanalforportland.com >; 'eguiney@gmail.com' <eguiney@gmail.com >; Ryan, Dan <Dan.Ryan@portlandoregon.gov >; 'tiffany@teachertiffanyforportland.com' <tiffany@teachertiffanyforportland.com >; 'info@angelitaforportland.com' <info@angelitaforportland.com >; 'stevenovick96@gmail.com' <stevenovick96@gmail.com >; 'onclark@gmail.com' <onclark@gmail.com >; 'mitch.r.green@gmail.com' <mitch.r.green@gmail.com >; 'zimmermanpdx@gmail.com' <zimmermanpdx@gmail.com >; Avalos, Candace <councilor.avalos@portlandoregon.gov >; Dunphy, Jamie <councilor.dunphy@portlandoregon.gov >; Koyama Lane, Tiffany <councilor.koyamalane@portlandoregon.gov >; Morillo, Angelita <councilor.morillo@portlandoregon.gov >; Clark, Olivia <councilor.clark@portlandoregon.gov >; Green, Mitchell <councilor.green@portlandoregon.gov >; Novick, Steve <councilor.novick@portlandoregon.gov >; Clark, Olivia <councilor.clark@portlandoregon.gov >; Zimmerman, Eric <councilor.zimmerman@portlandoregon.gov >; Kanal, Sameer <councilor.kanal@portlandoregon.gov >; Smith, Loretta <councilor.smith@portlandoregon.gov >; Pirtle-Guiney, Elana <councilor.pirtle-guiney@portlandoregon.gov >;

CC: King, Lauren <Lauren.King@portlandoregon.gov >; Brocker, Lori <Lori.Brocker@portlandoregon.gov >; Jordan, Michael <Michael.Jordan@portlandoregon.gov >; Wilson, Keith <Mayor.Wilson@portlandoregon.gov >; Brown, Kelly <Kelly.Brown@portlandoregon.gov >;

Dear Councilors,

While the Transition and Council Operations teams have a robust onboarding plan and continue to work on developing a briefing calendar with you all, items will sometimes arise that require more immediate situational awareness. Given the high level of public interest on activities related to Zenith Energy LLC, on behalf of the City Attorney's Office and Community and Economic Development, we are making two options available next week to provide background information and answer your questions if you are interested.

Please let me know if you can join us. A quick reply with a selection will suffice. Note, both sessions will review the same info so you only need to attend one, and both sessions will be hybrid.

OPTIONS

Option 1: Tuesday, December 17th, 10:00a-11:00a
Option 2: Wednesday, December 18th, 10:00a-1100a

And for those that can't join or are only interested in a high-level information, please see below for context.

Regarding Land Use Compatibility Statements

A Land Use Compatibility Statement is a City response to a State Agency as to whether or not a proposed activity or use is allowed outright, requires additional approval under adopted City ordinance, or is prohibited. Neither Oregon law nor Portland Code require, or provide for, a hearing or public process prior to completing a LUCS. It is unlawful for the City to apply a different procedural process for an individual applicant. The City reviews and issues LUCS based on zoning regulations and comprehensive plan that have been adopted and acknowledged.

Regarding Zenith Energy's Request for a Title V Air Permit

It is the city's understanding that DEQ determined the LUCS is insufficient because it failed to include adjacent properties that are a part of Zeniths operations. Separately, DEQ fined Zenith for its operation of the McCall dock without authorization under its air quality permit. Zenith's failure to comply with DEQ rules regarding Zenith's operations is outside the scope of the city's LUCS review. However, the city will evaluate whether Zenith failed to comply with any of the city's adopted regulations and if enforcement action is necessary.

At this time, the City has not received any request for a new or revised LUCS from Zenith. If and/or when the City receives a request, it will be processed by Portland Permitting & Development in the same manner as all other applicants.

Donnie Oliveira, he/him/his
Deputy City Administrator
Community and Economic Development
Phone: 503.593.1869
portland.gov/transition

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Date: Thu, 12 Dec 2024 11:00:28 PM (UTC)
Sent: Thu, 12 Dec 2024 11:00:24 PM (UTC)
Subject: RE: OFFER: Zenith Energy Background Briefing (two options)
From: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
To: Koyama Lane, Tiffany <councilor.koyamalane@portlandoregon.gov >; 'candaceforportland@gmail.com' <candaceforportland@gmail.com >; Jamie Dunphy <jamiedunphy@gmail.com >; 'lorettajsmith9@gmail.com' <lorettajsmith9@gmail.com >; 'sameer@kanalforportland.com' <sameer@kanalforportland.com >; 'eguiney@gmail.com' <eguiney@gmail.com >; Ryan, Dan <Dan.Ryan@portlandoregon.gov >; 'tiffany@teachertiffanyforportland.com' <tiffany@teachertiffanyforportland.com >; 'info@angelitaforportland.com' <info@angelitaforportland.com >; 'stevenovick96@gmail.com' <stevenovick96@gmail.com >; 'onclark@gmail.com' <onclark@gmail.com >; 'mitch.r.green@gmail.com' <mitch.r.green@gmail.com >; 'zimmermanpdx@gmail.com' <zimmermanpdx@gmail.com >; Avalos, Candace <councilor.avalos@portlandoregon.gov >; Dunphy, Jamie <councilor.dunphy@portlandoregon.gov >; Morillo, Angelita <councilor.morillo@portlandoregon.gov >; Clark, Olivia <councilor.clark@portlandoregon.gov >; Green, Mitchell <councilor.green@portlandoregon.gov >; Novick, Steve <councilor.novick@portlandoregon.gov >; Clark, Olivia <councilor.clark@portlandoregon.gov >; Zimmerman, Eric <councilor.zimmerman@portlandoregon.gov >; Kanal, Sameer <councilor.kanal@portlandoregon.gov >; Smith, Loretta <councilor.smith@portlandoregon.gov >; Pirtle-Guiney, Elana <councilor.pirtle-guiney@portlandoregon.gov >;
CC: King, Lauren <Lauren.King@portlandoregon.gov >; Brocker, Lori <Lori.Brocker@portlandoregon.gov >; Jordan, Michael <Michael.Jordan@portlandoregon.gov >; Wilson, Keith <Mayor.Wilson@portlandoregon.gov >; Brown, Kelly <Kelly.Brown@portlandoregon.gov >;

Both options will have an in person (Portland Building, room 500) and a Teams option. So yes.

Donnie Oliveira | he/him
Deputy City Administrator
503.593.1869

From: Koyama Lane, Tiffany <councilor.koyamalane@portlandoregon.gov >
Sent: Thursday, December 12, 2024 2:59 PM
To: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >; 'candaceforportland@gmail.com' <candaceforportland@gmail.com >; Jamie Dunphy <jamiedunphy@gmail.com >; 'lorettajsmith9@gmail.com' <lorettajsmith9@gmail.com >; 'sameer@kanalforportland.com' <sameer@kanalforportland.com >; 'eguiney@gmail.com' <eguiney@gmail.com >; Ryan, Dan <Dan.Ryan@portlandoregon.gov >; 'tiffany@teachertiffanyforportland.com' <tiffany@teachertiffanyforportland.com >; 'info@angelitaforportland.com' <info@angelitaforportland.com >; 'stevenovick96@gmail.com' <stevenovick96@gmail.com >; 'onclark@gmail.com' <onclark@gmail.com >; 'mitch.r.green@gmail.com' <mitch.r.green@gmail.com >; 'zimmermanpdx@gmail.com' <zimmermanpdx@gmail.com >; Avalos, Candace <councilor.avalos@portlandoregon.gov >; Dunphy, Jamie <councilor.dunphy@portlandoregon.gov >; Morillo, Angelita <councilor.morillo@portlandoregon.gov >; Clark, Olivia <councilor.clark@portlandoregon.gov >; Green, Mitchell <councilor.green@portlandoregon.gov >; Novick, Steve <councilor.novick@portlandoregon.gov >; Clark, Olivia <councilor.clark@portlandoregon.gov >; Zimmerman, Eric <councilor.zimmerman@portlandoregon.gov >; Kanal, Sameer <councilor.kanal@portlandoregon.gov >; Smith, Loretta <councilor.smith@portlandoregon.gov >; Pirtle-Guiney, Elana <councilor.pirtle-guiney@portlandoregon.gov >
Cc: King, Lauren <Lauren.King@portlandoregon.gov >; Brocker, Lori <Lori.Brocker@portlandoregon.gov >; Jordan, Michael <Michael.Jordan@portlandoregon.gov >; Wilson, Keith <Mayor.Wilson@portlandoregon.gov >; Brown, Kelly <Kelly.Brown@portlandoregon.gov >
Subject: RE: OFFER: Zenith Energy Background Briefing (two options)

Can there be a virtual option for these? I can do either time if it's virtual.

Councilor-elect Koyama Lane
District 3
Pronouns: she/her/hers

From: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
Sent: Thursday, December 12, 2024 2:52 PM

To: 'candaceforportland@gmail.com' <candaceforportland@gmail.com >; Jamie Dunphy <jamiedunphy@gmail.com >; 'lorettajsmith9@gmail.com' <lorettajsmith9@gmail.com >; 'sameer@kanalforportland.com' <sameer@kanalforportland.com >; 'eguiney@gmail.com' <eguiney@gmail.com >; Ryan, Dan <Dan.Ryan@portlandoregon.gov >; 'tiffany@teachertiffanyforportland.com' <tiffany@teachertiffanyforportland.com >; 'info@angelitaforportland.com' <info@angelitaforportland.com >; 'stevenovick96@gmail.com' <stevenovick96@gmail.com >; 'onclark@gmail.com' <onclark@gmail.com >; 'mitch.r.green@gmail.com' <mitch.r.green@gmail.com >; 'zimmermanpdx@gmail.com' <zimmermanpdx@gmail.com >; Avalos, Candace <councilor.avalos@portlandoregon.gov >; Dunphy, Jamie <councilor.dunphy@portlandoregon.gov >; Koyama Lane, Tiffany <councilor.koyamalane@portlandoregon.gov >; Morillo, Angelita <councilor.morillo@portlandoregon.gov >; Clark, Olivia <councilor.clark@portlandoregon.gov >; Green, Mitchell <councilor.green@portlandoregon.gov >; Novick, Steve <councilor.novick@portlandoregon.gov >; Clark, Olivia <councilor.clark@portlandoregon.gov >; Zimmerman, Eric <councilor.zimmerman@portlandoregon.gov >; Kanal, Sameer <councilor.kanal@portlandoregon.gov >; Smith, Loretta <councilor.smith@portlandoregon.gov >; Pirtle-Guiney, Elana <councilor.pirtle-guiney@portlandoregon.gov >
Cc: King, Lauren <Lauren.King@portlandoregon.gov >; Brocker, Lori <Lori.Brocker@portlandoregon.gov >; Jordan, Michael <Michael.Jordan@portlandoregon.gov >; Wilson, Keith <Mayor.Wilson@portlandoregon.gov >; Brown, Kelly <Kelly.Brown@portlandoregon.gov >
Subject: OFFER: Zenith Energy Background Briefing (two options)

Dear Councilors,

While the Transition and Council Operations teams have a robust onboarding plan and continue to work on developing a briefing calendar with you all, items will sometimes arise that require more immediate situational awareness. Given the high level of public interest on activities related to Zenith Energy LLC, on behalf of the City Attorney's Office and Community and Economic Development, we are making two options available next week to provide background information and answer your questions if you are interested.

Please let me know if you can join us. A quick reply with a selection will suffice. Note, both sessions will review the same info so you only need to attend one, and both sessions will be hybrid.

OPTIONS

Option 1: Tuesday, December 17th, 10:00a-11:00a
Option 2: Wednesday, December 18th, 10:00a-1100a

And for those that can't join or are only interested in a high-level information, please see below for context.

Regarding Land Use Compatibility Statements

A Land Use Compatibility Statement is a City response to a State Agency as to whether or not a proposed activity or use is allowed outright, requires additional approval under adopted City ordinance, or is prohibited. Neither Oregon law nor Portland Code require, or provide for, a hearing or public process prior to completing a LUCS. It is unlawful for the City to apply a different procedural process for an individual applicant. The City reviews and issues LUCS based on zoning regulations and comprehensive plan that have been adopted and acknowledged.

Regarding Zenith Energy's Request for a Title V Air Permit

It is the city's understanding that DEQ determined the LUCS is insufficient because it failed to include adjacent properties that are a part of Zeniths operations. Separately, DEQ fined Zenith for its operation of the McCall dock without authorization under its air quality permit. Zenith's failure to comply with DEQ rules regarding Zenith's operations is outside the scope of the city's LUCS review. However, the city will evaluate whether Zenith failed to comply with any of the city's adopted regulations and if enforcement action is necessary.

At this time, the City has not received any request for a new or revised LUCS from Zenith. If and/or when the City receives a request, it will be processed by Portland Permitting & Development in the same manner as all other applicants.

Donnie Oliveira, he/him/his
Deputy City Administrator
Community and Economic Development
Phone: 503.593.1869
portland.gov/transition

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Date: Thu, 12 Dec 2024 11:11:04 PM (UTC)
Sent: Thu, 12 Dec 2024 11:11:00 PM (UTC)
Subject: Re: Options for Zenith holds
From: King, Lauren <Lauren.King@portlandoregon.gov >
To: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >;
CC: Brown, Kelly <Kelly.Brown@portlandoregon.gov >; McCoppen, Allison <Allison.McCoppen@portlandoregon.gov >; Brown, Kelly <Kelly.Brown@portlandoregon.gov >; McCoppen, Allison <Allison.McCoppen@portlandoregon.gov >;

Donnie
I defer to you but I think it would be useful to have someone from PP&D as well as Tom there as well. They are going to be more versed on the specifics of the site than I am.

On Dec 12, 2024, at 2:10 PM, Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov > wrote:

Thanks Lauren.

Kelly, please put a hold and grab rm 500 for 10-11 on Tuesday and Wednesday for Lauren, Mike J. (as a FYI), Lori Brocker, David K., and Sam Chase and then be prepared to add councilors as they pick an option. For the hold:

Hold one of two options for background information on Zenith Energy Title V air permit and city related processes.

I am going to email newly electeds to offer the two options shortly and ask them to respond with an option.

Donnie Oliveira | he/him
Deputy City Administrator
503.593.1869

From: King, Lauren <Lauren.King@portlandoregon.gov >
Sent: Thursday, December 12, 2024 1:53 PM
To: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
Cc: Brown, Kelly <Kelly.Brown@portlandoregon.gov >; McCoppen, Allison <Allison.McCoppen@portlandoregon.gov >
Subject: RE: Options for Zenith holds

I can make any of those times work on Tuesday and Wednesday.

LAUREN KING | SENIOR DEPUTY CITY ATTORNEY (She/Her)
PORTLAND OFFICE OF THE CITY ATTORNEY
1221 SW Fourth Avenue, Room 430
Portland, OR 97204
Voice: 503-823-3069 | Fax: 503-823-3089
lauren.king@portlandoregon.gov

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823-4047, TTY 503-823-6868 or Oregon Relay Service: 711. For translation and interpretation services, please call 311 if you are calling from Multnomah County, (503) 823-4000 if outside of Multnomah County, or email cityattorneysoffice@portlandoregon.gov .

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From: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
Sent: Thursday, December 12, 2024 1:49 PM
To: King, Lauren <Lauren.King@portlandoregon.gov >
Cc: Brown, Kelly <Kelly.Brown@portlandoregon.gov >
Subject: RE: Options for Zenith holds

Hey Lauren,

I would like to offer a few options for hybrid briefing meetings to the councilors-elect. Do any of these work for you?

The idea is that we would mainly answer questions following up on your initial briefing.

Thanks,

Donnie Oliveira | he/him
Deputy City Administrator
503.593.1869

From: Brown, Kelly <Kelly.Brown@portlandoregon.gov >
Sent: Thursday, December 12, 2024 12:40 PM
To: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
Subject: Options for Zenith holds

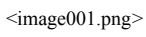
- Monday 12/16
  - 8-9am (if you can swing that; reschedule our 1:1)
  - 12-1pm (reschedule our lunch after the holidays – which I'm totally fine with)
- Tues 12/17 –
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  - 10-11am (if you end up cancelling GPI)
  - Some portion of the budget work session, if you can get away
- Wed 12/18
  - 9-11sm, if you don't need to be at Council (we have 2 items on consent, plus a pre-gavel tribute to Biko Taylor)

These are the only options I see, unless you wanted to schedule after the swearing in or late Friday afternoon (which I don't think you do.) Let me know what you think.

Thanks,

Kelly Brown (she/her)
Executive Assistant to DCA Donnie Oliveira

City of Portland
Community & Economic Development
971-610-7111
kelly.brown@portlandoregon.gov

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Date: Thu, 12 Dec 2024 11:13:39 PM (UTC)
Sent: Thu, 12 Dec 2024 11:13:38 PM (UTC)
Subject: Re: Options for Zenith holds
From: Oliveira, Donnie
To: King, Lauren <Lauren.King@portlandoregon.gov >;
CC: Brown, Kelly <Kelly.Brown@portlandoregon.gov >; McCoppen, Allison <Allison.McCoppen@portlandoregon.gov >; Brown, Kelly <Kelly.Brown@portlandoregon.gov >; McCoppen, Allison <Allison.McCoppen@portlandoregon.gov >;

I included David and will talk to Eric.

Donnie Oliveira | he/him
Deputy City Administrator
Community and Economic Development
503.593.1869

On Dec 12, 2024, at 3:11 PM, King, Lauren <Lauren.King@portlandoregon.gov > wrote:

Donnie
I defer to you but I think it would be useful to have someone from PP&D as well as Tom there as well. They are going to be more versed on the specifics of the site than I am.

On Dec 12, 2024, at 2:10 PM, Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov > wrote:

Thanks Lauren.

Kelly, please put a hold and grab rm 500 for 10-11 on Tuesday and Wednesday for Lauren, Mike J. (as a FYI), Lori Brocker, David K., and Sam Chase and then be prepared to add councilors as they pick an option. For the hold:

Hold one of two options for background information on Zenith Energy Title V air permit and city related processes.

I am going to email newly electeds to offer the two options shortly and ask them to respond with an option.

Donnie Oliveira | he/him
Deputy City Administrator
503.593.1869

From: King, Lauren <Lauren.King@portlandoregon.gov >
Sent: Thursday, December 12, 2024 1:53 PM
To: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
Cc: Brown, Kelly <Kelly.Brown@portlandoregon.gov >; McCoppen, Allison <Allison.McCoppen@portlandoregon.gov >
Subject: RE: Options for Zenith holds

I can make any of those times work on Tuesday and Wednesday.

LAUREN KING | SENIOR DEPUTY CITY ATTORNEY (She/Her)
PORTLAND OFFICE OF THE CITY ATTORNEY
1221 SW Fourth Avenue, Room 430
Portland, OR 97204
Voice: 503-823-3069 | Fax: 503-823-3089
lauren.king@portlandoregon.gov

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From: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
Sent: Thursday, December 12, 2024 1:49 PM
To: King, Lauren <Lauren.King@portlandoregon.gov >
Cc: Brown, Kelly <Kelly.Brown@portlandoregon.gov >
Subject: RE: Options for Zenith holds

Hey Lauren,

I would like to offer a few options for hybrid briefing meetings to the councilors-elect. Do any of these work for you?

The idea is that we would mainly answer questions following up on your initial briefing.

Thanks,

Donnie Oliveira | he/him
Deputy City Administrator
503.593.1869

From: Brown, Kelly <Kelly.Brown@portlandoregon.gov >
Sent: Thursday, December 12, 2024 12:40 PM
To: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
Subject: Options for Zenith holds

- Monday 12/16
  - 8-9am (if you can swing that; reschedule our 1:1)
  - 12-1pm (reschedule our lunch after the holidays – which I'm totally fine with)
- Tues 12/17 –
  - 8-9am (if you can swing that), or
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These are the only options I see, unless you wanted to schedule after the swearing in or late Friday afternoon (which I don't think you do.) Let me know what you think.

Thanks,

Kelly Brown (she/her)
Executive Assistant to DCA Donnie Oliveira

City of Portland
Community & Economic Development
971-610-7111
kelly.brown@portlandoregon.gov

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<image003.png>
<image004.png>

Date: Thu, 12 Dec 2024 11:18:01 PM (UTC)
Sent: Thu, 12 Dec 2024 11:18:00 PM (UTC)
Subject: Re: Options for Zenith holds
From: King, Lauren
To: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >;

Sounds good. For what it's worth, not sure how well versed Matt is but historically it was useful to hear from Terry about what we can request building permits for and what we have (or have not) received applications for. The land use side of the bureau is something I (and Tom) have a good handle on but the building permits (and history of construction activities) I feel less comfortable getting into the weeds.

> On Dec 12, 2024, at 3:13 PM, Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov > wrote:
>
> I included David and will talk to Eric.
>
> Donnie Oliveira | he/him
> Deputy City Administrator
> Community and Economic Development
> 503.593.1869
>
> > On Dec 12, 2024, at 3:11 PM, King, Lauren <Lauren.King@portlandoregon.gov > wrote:
> >
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> > I defer to you but I think it would be useful to have someone from PP&D as well as Tom there as well. They are going to be more versed on the specifics of the site than I am.
> >
> > > On Dec 12, 2024, at 2:10 PM, Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov > wrote:
> > >
> > > Thanks Lauren.
> > >
> > > Kelly, please put a hold and grab rm 500 for 10-11 on Tuesday and Wednesday for Lauren, Mike J. (as a FYI), Lori Brocker, David K., and Sam Chase and then be prepared to add councilors as they pick an option. For the hold:
> > >
> > > *Hold one of two options for background information on Zenith Energy Title V air permit and city related processes.*
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> > > I am going to email newly electeds to offer the two options shortly and ask them to respond with an option.
> > >
> > > Donnie Oliveira | he/him
> > > Deputy City Administrator

503.593.1869

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Sent: Thursday, December 12, 2024 1:53 PM
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Cc: Brown, Kelly <Kelly.Brown@portlandoregon.gov >; McCoppen, Allison <Allison.McCoppen@portlandoregon.gov >
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From: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
Sent: Thursday, December 12, 2024 1:49 PM
To: King, Lauren <Lauren.King@portlandoregon.gov >
Cc: Brown, Kelly <Kelly.Brown@portlandoregon.gov >
Subject: RE: Options for Zenith holds

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Donnie Oliveira | he/him
Deputy City Administrator
503.593.1869

From: Brown, Kelly <Kelly.Brown@portlandoregon.gov >
Sent: Thursday, December 12, 2024 12:40 PM
To: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
Subject: Options for Zenith holds

- Monday 12/16
  - 8-9am (if you can swing that; reschedule our 1:1)
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Kelly Brown (she/her)
Executive Assistant to DCA Donnie Oliveira

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<image003.png>
<image004.png>

Date:	Thu, 12 Dec 2024 11:57:02 PM (UTC)
Subject:	Zenith Energy Briefing - Option 2
From:	Brown, Kelly
To:	King, Lauren <Lauren.King@portlandoregon.gov >; Brocker, Lori <Lori.Brocker@portlandoregon.gov >; Kuhnhausen, David <David.Kuhnhausen@portlandoregon.gov >; Chase, Sam <Sam.Chase@portlandoregon.gov >; Green, Mitchell <councilor.green@portlandoregon.gov >; Koyama Lane, Tiffany <councilor.koyamalane@portlandoregon.gov >;
CC:	Jordan, Michael <Michael.Jordan@portlandoregon.gov >;
BCC:	PB LG 20 ppl - AV & Video Camera - Rm 500 <PBRM500@portlandoregon.gov >;

Hold one of two options for background information on Zenith Energy Title V air permit and city related processes.

Microsoft Teams Need help?

Join the meeting now

[redacted]

[redacted]

For organizers: Meeting options | Reset dial-in PIN
Org help | Privacy and security

Date: Thu, 12 Dec 2024 11:57:10 PM (UTC)
Sent: Thu, 12 Dec 2024 11:57:02 PM (UTC)
Subject: Zenith Energy Briefing - Option 2
From: Brown, Kelly <Kelly.Brown@portlandoregon.gov >
To: McCoppen, Allison <Allison.McCoppen@portlandoregon.gov >;

Hold one of two options for background information on Zenith Energy Title V air permit and city related processes.

Microsoft Teams Need help?

Join the meeting now

[redacted]

[redacted]

For organizers: Meeting options | Reset dial-in PIN
Org help | Privacy and security

Sent:	Mon, 16 Dec 2024 4:59:36 PM (UTC)
Subject:	Zenith Energy Briefing - Option 1
From:	Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
To:	Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >; King, Lauren <Lauren.King@portlandoregon.gov >; Brocker, Lori <Lori.Brocker@portlandoregon.gov >; Kuhnhausen, David <David.Kuhnhausen@portlandoregon.gov >; Chase, Sam <Sam.Chase@portlandoregon.gov >; Morillo, Angelita <councilor.morillo@portlandoregon.gov >; Avalos, Candace <councilor.avalos@portlandoregon.gov >; Evenstar, Jamey <Jamey.Evenstar@portlandoregon.gov >; Beyer, Megan <Megan.Beyer@portlandoregon.gov >;
CC:	Jordan, Michael <Michael.Jordan@portlandoregon.gov >; Wilson, Keith <Mayor.Wilson@portlandoregon.gov >; Taft, Kristopher <Kristopher.Taft@portlandoregon.gov >; Kris Taft <kris@keithwilsonformayor.com > <kris@keithwilsonformayor.com >; Engstrom, Eric <Eric.Engstrom@portlandoregon.gov >; Armstrong, Tom <Tom.Armstrong@portlandoregon.gov >; Miller, Andre <Andre.Miller3@portlandoregon.gov >;
BCC:	PB LG 20 ppl - AV & Video Camera - Rm 500 <PBRM500@portlandoregon.gov >;
Location:	Microsoft Teams Meeting; PB LG 20 ppl - AV & Video Camera - Rm 500
Start Time:	Tue, 17 Dec 2024 6:00:00 PM (UTC)
End Time:	Tue, 17 Dec 2024 7:00:00 PM (UTC)
Duration:	60
Timezone:	(UTC-08:00) Pacific Time (US & Canada)

-----Original Appointment-----
From: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
Sent: Thursday, December 12, 2024 2:42 PM
To: Oliveira, Donnie; King, Lauren; Brocker, Lori; Kuhnhausen, David; Chase, Sam; Morillo, Angelita; Avalos, Candace; Evenstar, Jamey; Wilson, Keith; Taft, Kristopher; Kris Taft <kris@keithwilsonformayor.com >
Cc: Jordan, Michael
Subject: Zenith Energy Briefing - Option 1
When: Tuesday, December 17, 2024 10:00 AM-11:00 AM (UTC-08:00) Pacific Time (US & Canada).
Where: Microsoft Teams Meeting; PB LG 20 ppl - AV & Video Camera - Rm 500

Hold one of two options for background information on Zenith Energy Title V air permit and city related processes.

Microsoft Teams Need help?

[redacted]

[redacted]

For organizers: Meeting options | Reset dial-in PIN
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Sent:	Mon, 16 Dec 2024 4:59:37 PM (UTC)
Subject:	Zenith Energy Briefing - Option 1
From:	Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
To:	Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >; Engstrom, Eric <Eric.Engstrom@portlandoregon.gov >; Armstrong, Tom <Tom.Armstrong@portlandoregon.gov >; King, Lauren <Lauren.King@portlandoregon.gov >; Brocker, Lori <Lori.Brocker@portlandoregon.gov >; Kuhnhausen, David <David.Kuhnhausen@portlandoregon.gov >; Chase, Sam <Sam.Chase@portlandoregon.gov >; Morillo, Angelita <councilor.morillo@portlandoregon.gov >; Avalos, Candace <councilor.avalos@portlandoregon.gov >; Evenstar, Jamey <Jamey.Evenstar@portlandoregon.gov >;
CC:	Jordan, Michael <Michael.Jordan@portlandoregon.gov >; Wilson, Keith <Mayor.Wilson@portlandoregon.gov >; Taft, Kristopher <Kristopher.Taft@portlandoregon.gov >; Kris Taft <kris@keithwilsonformayor.com > <kris@keithwilsonformayor.com >;
Location:	Microsoft Teams Meeting; PB LG 20 ppl - AV & Video Camera - Rm 500
Start Time:	Tue, 17 Dec 2024 6:00:00 PM (UTC)
End Time:	Tue, 17 Dec 2024 7:00:00 PM (UTC)
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Timezone:	(UTC-08:00) Pacific Time (US & Canada)

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From: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
Sent: Thursday, December 12, 2024 2:42 PM
To: Oliveira, Donnie; King, Lauren; Brocker, Lori; Kuhnhausen, David; Chase, Sam; Morillo, Angelita; Avalos, Candace; Evenstar, Jamey; Wilson, Keith; Taft, Kristopher; Kris Taft <kris@keithwilsonformayor.com >
Cc: Jordan, Michael
Subject: Zenith Energy Briefing - Option 1
When: Tuesday, December 17, 2024 10:00 AM-11:00 AM (UTC-08:00) Pacific Time (US & Canada).
Where: Microsoft Teams Meeting; PB LG 20 ppl - AV & Video Camera - Rm 500

Hold one of two options for background information on Zenith Energy Title V air permit and city related processes.

Microsoft Teams Need help?

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[redacted]

[redacted]

For organizers: Meeting options | Reset dial-in PIN
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Sent:	Mon, 16 Dec 2024 5:00:42 PM (UTC)
Subject:	Zenith Energy Briefing - Option 2
From:	Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
To:	Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >; King, Lauren <Lauren.King@portlandoregon.gov >; Brocker, Lori <Lori.Brocker@portlandoregon.gov >; Kuhnhausen, David <David.Kuhnhausen@portlandoregon.gov >; Chase, Sam <Sam.Chase@portlandoregon.gov >; Green, Mitchell <councilor.green@portlandoregon.gov >; Koyama Lane, Tiffany <councilor.koyamalane@portlandoregon.gov >;
CC:	Jordan, Michael <Michael.Jordan@portlandoregon.gov >; Armstrong, Tom <Tom.Armstrong@portlandoregon.gov >; Engstrom, Eric <Eric.Engstrom@portlandoregon.gov >; Kris Taft <kris@keithwilsonformayor.com > <kris@keithwilsonformayor.com >; Taft, Kristopher <Kristopher.Taft@portlandoregon.gov >; Wilson, Keith <Mayor.Wilson@portlandoregon.gov >; Rozzell, Matt <Matthew.Rozzell@portlandoregon.gov >;
BCC:	PB LG 20 ppl - AV & Video Camera - Rm 500 <PBRM500@portlandoregon.gov >;
Location:	Microsoft Teams Meeting; PB LG 20 ppl - AV & Video Camera - Rm 500
Start Time:	Wed, 18 Dec 2024 6:00:00 PM (UTC)
End Time:	Wed, 18 Dec 2024 7:00:00 PM (UTC)
Duration:	60
Timezone:	(UTC-08:00) Pacific Time (US & Canada)

-----Original Appointment-----
From: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
Sent: Thursday, December 12, 2024 2:42 PM
To: Oliveira, Donnie; King, Lauren; Brocker, Lori; Kuhnhausen, David; Chase, Sam; Green, Mitchell; Koyama Lane, Tiffany
Cc: Jordan, Michael
Subject: Zenith Energy Briefing - Option 2
When: Wednesday, December 18, 2024 10:00 AM-11:00 AM (UTC-08:00) Pacific Time (US & Canada).
Where: Microsoft Teams Meeting; PB LG 20 ppl - AV & Video Camera - Rm 500

Hold one of two options for background information on Zenith Energy Title V air permit and city related processes.

Microsoft Teams Need help?

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[redacted]

[redacted]

For organizers: Meeting options | Reset dial-in PIN
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Sent:	Mon, 16 Dec 2024 5:00:42 PM (UTC)
Subject:	Zenith Energy Briefing - Option 2
From:	Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
To:	Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >; King, Lauren <Lauren.King@portlandoregon.gov >; Brocker, Lori <Lori.Brocker@portlandoregon.gov >; Kuhnhausen, David <David.Kuhnhausen@portlandoregon.gov >; Chase, Sam <Sam.Chase@portlandoregon.gov >; Green, Mitchell <councilor.green@portlandoregon.gov >; Koyama Lane, Tiffany <councilor.koyamalane@portlandoregon.gov >;
CC:	Jordan, Michael <Michael.Jordan@portlandoregon.gov >; Armstrong, Tom <Tom.Armstrong@portlandoregon.gov >; Engstrom, Eric <Eric.Engstrom@portlandoregon.gov >;
BCC:	PB LG 20 ppl - AV & Video Camera - Rm 500 <PBRM500@portlandoregon.gov >;
Location:	Microsoft Teams Meeting; PB LG 20 ppl - AV & Video Camera - Rm 500
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Timezone:	(UTC-08:00) Pacific Time (US & Canada)

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From: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >
Sent: Thursday, December 12, 2024 2:42 PM
To: Oliveira, Donnie; King, Lauren; Brocker, Lori; Kuhnhausen, David; Chase, Sam; Green, Mitchell; Koyama Lane, Tiffany
Cc: Jordan, Michael
Subject: Zenith Energy Briefing - Option 2
When: Wednesday, December 18, 2024 10:00 AM-11:00 AM (UTC-08:00) Pacific Time (US & Canada).
Where: Microsoft Teams Meeting; PB LG 20 ppl - AV & Video Camera - Rm 500

Hold one of two options for background information on Zenith Energy Title V air permit and city related processes.

Microsoft Teams Need help?

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[redacted]

[redacted]

For organizers: Meeting options | Reset dial-in PIN
Org help | Privacy and security

Date:	Mon, 16 Dec 2024 10:33:00 PM (UTC)
Sent:	Mon, 16 Dec 2024 10:33:17 PM (UTC)
Subject:	FW: Letter from environmental community to City of Portland on Zenith Energy - Dec 16
From:	Oliveira, Donnie
To:	Kuhnhausen, David <David.Kuhnhausen@portlandoregon.gov >; Engstrom, Eric <Eric.Engstrom@portlandoregon.gov >; Armstrong, Tom <Tom.Armstrong@portlandoregon.gov >; Rozzell, Matt <Matthew.Rozzell@portlandoregon.gov >; Tallant, Kimberly <Kimberly.Tallant@portlandoregon.gov >;
CC:	King, Lauren <Lauren.King@portlandoregon.gov >;
Attachments:	12.16.2024 Letter to City re_ Zenith.pdf

See attached.

Donnie Oliveira | he/him
Deputy City Administrator
503.593.1869

From: Dineen Crowe <dineen@350pdx.org >
Sent: Monday, December 16, 2024 2:11 PM
To: Wheeler, Mayor <MayorWheeler@portlandoregon.gov >; Wilson, Keith <Mayor.Wilson@portlandoregon.gov >; Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >; King, Lauren <Lauren.King@portlandoregon.gov >; Jordan, Michael <Michael.Jordan@portlandoregon.gov >
Cc: Pirtle-Guiney, Elana <councilor.pirtle-guiney@portlandoregon.gov >; Morillo, Angelita <councilor.morillo@portlandoregon.gov >; Green, Mitchell <councilor.green@portlandoregon.gov >; Kanal, Sameer <councilor.kanal@portlandoregon.gov >; councilor.ryan@portlandoregon.gov; Koyama Lane, Tiffany <councilor.koyamalane@portlandoregon.gov >; Novick, Steve <councilor.novick@portlandoregon.gov >; Clark, Olivia <councilor.clark@portlandoregon.gov >; Zimmerman, Eric <councilor.zimmerman@portlandoregon.gov >; Avalos, Candace <councilor.avalos@portlandoregon.gov >; Dunphy, Jamie <councilor.dunphy@portlandoregon.gov >; Smith, Loretta <councilor.smith@portlandoregon.gov >; LOCH Michael * DEQ <Michael.LOCH@deq.oregon.gov >; Leah.FELDON@deq.oregon.gov
Subject: Letter from environmental community to City of Portland on Zenith Energy - Dec 16

Hi there,

I am writing to share a letter, written to you all from the Linnton Neighborhood Association, Tank the Tanks, the Northwest Environmental Defense Center, 350PDX, Oregon Physicians for Social Responsibility, and Breach Collective.

We look forward to your response. Thank you!

--

Dineen Crowe (she/her)
Campaign Manager, 350PDX
dineen@350pdx.org
(631) 830-7478

December 16, 2024

TO: Mayor Ted Wheeler and Mayor-elect Keith Wilson
CC: Michael Jordan, Donnie Oliveira, Lauren King, incoming members of Portland City Council, and DEQ

As you are likely aware, the Oregon Department of Environmental Quality ("DEQ") just issued a $372,600 fine to Zenith Energy for the unauthorized use of a leased dock.[1] In conjunction with this penalty, it appears that DEQ will be requiring Zenith to obtain a new Land Use Compatibility Statement ("LUCS") from the City of Portland before considering a new air permit.[2] DEQ has set a deadline of February 4, 2025 for Zenith to obtain new land use permissions.

We write to put you on notice that environmental and community groups will be watching closely to ensure that the City complies with state law and does not attempt another backroom deal[3] with Zenith. Importantly, advocates are watching to make sure that the community is not once again shut out of important decisions that impact the health and safety of Portland residents and the environment. Zenith's repeated law breaking and dishonesty, in combination with the ever-increasing danger its operations pose to the public, call for decisive action from City officials to protect the public. Not only should the City refuse to fast track new land use permissions for Zenith, the City should withdraw Zenith's existing LUCSs[4] and land use permissions. This must be done to carefully consider Zenith's operations as a whole with a deliberative, robust, and public process that Portland residents have been repeatedly denied.

I. City code and state law call for public involvement and input in any future Zenith LUCS processes

City assertions that it may only handle a LUCS as a routine administrative matter without the opportunity for public input and involvement are contrary to state law and the City's own code. These assertions are also at odds with the City's far-from-routine handling of Zenith's previous

[1] Oregon Department of Environmental Quality, "Notice of Civil Penalty Assessment and Order Case no. AQ-V-NWR-2024-635" (Dec. 6, 2024). Link.
[2] Oregon Department of Environmental Quality, "Request for Information regarding Zenith Energy Terminal Holdings, LLC ("Zenith") air quality Title V Permit renewal and Air Contaminant Discharge Permit (ACDP) applications" (Dec. 6, 2024). Link.
[3] Nick Cunningham, "Portland City Government Compromised with Oil Industry in Private, Documents Suggest," Desmog (Aug. 23, 2023), Link; Jeremiah Hayden, "Newly obtained records show Portland officials' private interactions with Zenith Energy," Streetroots (Aug. 23, 2023), Link.
[4] State administrative law is unequivocal that a local government may withdraw a LUCS: "A local government may withdraw or modify its compatibility determination any time prior to the issuance of a permit." OAR 340-018-0050(2)(E). More generally, the legislative delegation of power to decide a matter includes an inherent authority to withdraw and reconsider a decision, absent any express legislative limitation. *In the Matter of the Compensation of Boydston*, 166 Or. App. 336, 340 (Or. Ct. App. 2000). As such the City may withdraw a prior LUCS decision if there are no statutory or local limitations.

LUCS. Indeed, nothing limits the City's ability to allow for further process, and the City's denial of process prejudices the rights of the public.

In 2021, LUBA unequivocally characterized the City's decision to deny Zenith's LUCS as a quasi-judicial decision, citing *Strawberry Hill's* three-factor test, specifically that it is "clear" that the decision is quasi-judicial in nature:

> In Strawberry Hill 4 Wheelers v. Benton Co. Bd. of Comm., the Supreme Court established a three-factor test to determine whether a land use matter is quasi-judicial or legislative:
>
> > 1. Is the process bound to result in a decision?
> >
> > 2. Is the making of the decision bound to apply preexisting criteria to concrete facts?
> >
> > 3. Is the matter directed at a closely circumscribed factual situation or a small number of persons? 287 Or 591, 602-03, 601 P2d 769 (1979).
>
> No factor is determinative, but answering two or three of those questions in the affirmative suggests that the matter is quasi-judicial in nature. See *id.* Here, there is no dispute that the city could not decline to reach a decision on the LUCS application or that the city applied existing criteria to the specific facts regarding petitioner's operation (though it is disputed which criteria the city was allowed to apply). It is also clear that the LUCS is directed only at the petitioner's operation. Accordingly, we conclude that, under state law, the city's decision must be viewed as a quasi-judicial decision.[5]

This analysis mandates higher levels of public involvement and scrutiny. The Oregon Court of Appeals affirmed this decision.[6] Zenith appealed to no avail, as the Oregon Supreme Court denied review on October 6, 2022.[7] Neither the City nor Zenith appealed LUBA's findings on the procedural questions. LUBA never even contemplated that this LUCS *could* be an administrative decision,[8] and explicitly recognized that assessing a facility's operational compatibility with local land use laws, including the Comprehensive Plan, is fundamentally different from a routine administrative decision. Current City Code does not require a LUCS to be treated as an administrative decision. To the contrary, the City must acknowledge the discretion involved in evaluating Zenith's LUCS and

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[5] *Zenith Energy Terminals Holdings LLC v. City of Portland*, LUBA No. 2021-083, 25-26, aff'd 319 Or App 538, 509 P3d 120 (2022), rev. den. 370 Or 303, 518 P3d 128 (2022).
[6] *Zenith Energy Terminals Holdings LLC v. City of Portland*, LUBA No. 2021-083, aff'd 319 Or App 538, 509 P3d 120 (2022), rev. den. 370 Or 303, 518 P3d 128 (2022).
[7] *Id.*
[8] *Id.* at 23-29.

ensure higher levels of public notice and involvement articulated in City Code.[9] Inherent in Zenith's 2022 LUCS was a level of City discretion that illustrates that this process is anything but a routine administrative matter. By inviting and then accepting Zenith's (apparently unprecedented) proposal of a conditional LUCS, the City implicitly acknowledged that Zenith's use requires conditions, prompting a discretionary review process to condition Zenith's use into compliance. Development and application of these conditions imparted a subjective, value laden analysis that is not consistent with an administrative decision. Under City Code, "[d]iscretionary reviews *must* provide opportunities for public involvement."[10]

The City should have provided opportunities for public involvement in Zenith's 2022 LUCS decision. The failure to do so effectively precluded the opportunity for community groups to seek review of the decision. These groups will not be caught off-guard this time around. The City must include a code-compliant public process in its evaluation of any future LUCS applications for this facility.

II. Public scrutiny of Zenith and the City's actions warrant elevated safeguards on process

Public records, which have come under scrutiny by local media, advocacy organizations, and the City's Auditor, illustrate a pattern of backroom dealings that undermine city and state policies regarding land use decisions. In 2022, City elected officials, staff, and attorneys colluded to hold extensive behind-closed-doors meetings with Zenith and usher in a new LUCS without opportunity for public comment or involvement. Subsequent records requests revealed undisclosed communications with Zenith employees, including a closed-door meeting at the Zenith terminal where they discussed all of the major conditions that would, months later, appear in the 2022 conditional LUCS.[11] Not only did the City fail to disclose these communications on the record, evidence suggests that City officials attempted to hide communications and notes, including the notes from the meeting at Zenith's terminal.[12] Ultimately, this pattern resulted in a deliberate exclusion of environmental organizations—including Columbia and Willamette Riverkeeper, who at the time were intervenors supporting the City in an ongoing lawsuit filed by Zenith over the City's 2021 LUCS denial—from learning about and interfering with the City's scheme.

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[9] For example, Under Portland City Code, all quasi-judicial decisions require notice to neighborhood associations and neighbors within a certain distance of the subject property. Portland City Code §33.730.014 et seq. The City failed to send notice to the Linnton Neighborhood Association in its 2022 LUCS process.
[10] PCC 33.800.020 (emphasis added). "A discretionary review is one that involves judgment or discretion in determining compliance with the approval requirements. The review is discretionary because not all of the approval requirements are objective. That is, they are not easily definable or measurable." Id.
[11] Columbia Riverkeeper, Northwest Environmental Defense Center, Breach Collective, Willamette Riverkeeper, and the Linnton Neighborhood Association catalogued the City's procedural failings in the 2022 LUCS process in an April 8, 2024 petition to the Environmental Quality Commission. Link.
[12] *Id.*

Despite active pending litigation, the City Attorney and officials simply ignored LUBA's decision and rushed through a separate, negotiated LUCS with Zenith in a secretive process riddled with *ex parte* communications and prejudgement bias.[13] The City never offered a rationale as to why they thought they could just ignore rulings from LUBA and the Oregon Court of Appeals. Instead, City officials consistently and falsely told advocacy organizations and the public that Zenith's LUCS was an administrative matter with no required notice or hearing and was "reviewed in the same manner as every other such application the City receives."[14]

The City Auditor's investigation of Zenith's dealings again highlights the needs for higher levels of procedural safeguards and public involvement. Despite repeated assertions from City officials that they had followed a standard administrative process, the City Auditor, in her investigation of Zenith's 2022 lobbying practices found, "[d]uring our interviews with BDS Director Esau and BPS Director Oliveira, it was made clear that the communications involved in this specific LUCS went beyond what they considered the standard process."[15] The Auditor's findings contradict the City's own attempts to characterize the dealings. These scandalous actions were reported on by multiple investigative news outlets resulting in serious embarrassment for City officials, distrust from residents and advocates, as well as substantial harm to the community.[16] The City must not continue to exclude community voices from its processes and continue to run interference on behalf of a fossil fuel company that habitually breaks the law. The City has the discretion and an obligation to involve the public, including tribal organizations, in LUCS processes and must do so to begin to remedy past harms and rebuild trust.

Moreover, DEQ's new regulatory action invites new scrutiny over the City's past actions in response to Zenith's rule breaking and dishonesty. This recent action explicitly penalizes Zenith's illegal construction and use of the McCall dock. Indeed, this behavior is on its own a reason to revoke Zenith's existing land use permissions and deny any future requests. In a quote to *The Oregonian* on Nov. 14, 2024, BPS spokesperson Magan Reed suggested that City officials were aware of Zenith's illegal construction and use of a leased dock, and in response, both failed to disclose this

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[13] *Id.*

[14] See Statement by TJ McHugh, Representative of Commissioner Dan Ryan, Link ("Consistent with Oregon law and the Zoning Code, Zenith's LUCS application was reviewed in the same manner as every other such application the City receives. There is no required notice or hearing on a LUCS application. The City does not establish new processes and procedures based on individual applications."); see also Attachment A.7, Letter from Rebecca Esa, Director, BDS to Breach Collective et al. (Nov. 21, 2022), Link, ("A LUCS is a form developed by state agencies to determine whether a state agency permit or approval, sought by a business, will be consistent with a local government's comprehensive plan and land use regulations. The applicable state agency determines when the LUCS is required. The City completes the LUCS as an administrative matter. Consistent with Oregon law and the City of Portland's Zoning Code, there is no required notice or hearing on a LUCS.").

[15] Portland City Auditor, Notice of Final Determination on Zenith Lobbying Violations, Mar. 26, 2024 at 6. Link.

[16] Cunningham and Hayden, supra footnote 3.

information to state regulators and the public while quietly granting Zenith new permissions.[17] If this characterization is correct, the City's record of failing to hold Zenith accountable is even more egregious than the public is currently aware. The public deserves a thorough audit of the City's knowledge of Zenith's illegal uses and a plan to remedy these systematic procedural and substantive failures.

III. The City must not continue to reward Zenith's bad behavior, contradict state law, and facilitate more opportunities for Zenith to mislead regulators and the public

The City must consider any future land use decisions in a manner that is informed by Zenith's history of evading public scrutiny, disregarding legal obligations imparted by local, state, and federal law, and lying to regulators. Indeed, many of the promises to local and state officials that premised the issuance of the 2022 LUCS are ill-founded. Put simply: Zenith cannot and will not act in a manner that brings their operations in compliance with the local Comprehensive Plan or state law. For instance, Zenith's "renewable fuels" claims have been overhyped by the company and City officials alike, both of whom have used these pretenses to hide the reality that Zenith intends to massively expand its fossil fuel operations. Specifically, Zenith's Air Contaminant Discharge Permit ("ACDP") application to DEQ shows that Zenith plans to construct four new railcar racks, handle highly volatile substances like renewable naphtha (not disclosed in Zenith's 2022 LUCS), and holds open of the possibility of constructing new storage tanks.[18] Plainly, even if Zenith were to phase out crude oil (the enforceability of such a promise is unlikely), the company will continue to increase its material danger to Portland residents via dangerous transport of dangerous liquid fuels (including fossil fuels) through our neighborhoods, and storage and transloading at a seismically vulnerable site.

Nothing in Zenith's ACDP application or its conditional 2022 LUCS places any limitation on the continued growth of fossil fuel storage and transloading operations. Even under the best circumstances, which are unlikely to ever exist with a company like Zenith, the storage and transfer of "renewable fuels" is dangerous to the community in nearly identical ways to fossil fuels and their greenhouse gas emissions reduction potential is asserted without adequate supporting evidence.[19]

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[17] Gosia Wozniacka, State puts hold on Zenith Energy's controversial air permit process in surprise move, The Oregonian (Nov. 15, 2024) ("Magan Reed, a spokesperson for the Portland Bureau of Planning and Sustainability, said the city did not know about the dock's use when it first began but became aware of it some time later, prior to issuing its stamp of approval for Zenith's continued operations in the city in October 2022. 'The City did not have specific details regarding the dock's or pipeline's use for diesel or renewable diesel in 2021,' Reed said via email. But in 2022, she added, it was 'generally aware of Zenith's operations and transition to renewable fuels through high-level discussions and ongoing coordination.'"). Link.

[18] Zenith Energy Air Contaminant Discharge Application (Nov. 11, 2022). Link.

[19] See, i.e., Gosia Wozniacka, *Zenith likely to expand, continue to store volatile fuels in Portland even as it cuts crude oil*, The Oregonian (April 8, 2024) ("'We really can't put a precise number on the climate effects of each biofuel... I'm not confident that they are helping us mitigate climate change and they might be making matters worse,' said Richard Plevin, a research scientist who has spent years modeling the climate impacts of biofuels as a consultant for the U.S. Environmental Protection Agency and California's Air Resources Board." Link.

Any purported benefits of Zenith's so-called "renewable fuels" operations do not suddenly transform the company's fossil fuel activities into compatibility with the Comprehensive Plan.

Beyond Zenith's extensive and continuous record of illegality and dishonesty,[20] the company is massively unpopular with the public. Despite Zenith's intensive marketing and the City of Portland uncritically supporting its branding, in October, new polling showed that:

- 59% of Portland voters oppose new fossil fuel developments within Portland city limits;
- A plurality (49%) of Portlanders support revoking Zenith's LUCS and shutting down the oil-by-rail facility, versus only 26% who would oppose this action; and
- 58% of voters do not trust Zenith to follow through on its "renewable fuels" plans.[21]

Continuing to run administrative interference for a disreputable fossil fuel company against the will of Portland voters is unconscionable.

The City of Portland must refuse to grant a new LUCS to Zenith *and* the City should withdraw Zenith's existing LUCSs[22] and land use permissions. This must be done to carefully consider Zenith's operations as a whole with a deliberative, robust, and public process. Advocates have been calling on the city for this action since 2022 and DEQ's recent regulatory action demonstrates that we were correct at the time and should have been listened to. Now is the time for the City to work with advocates and the public, to serve the community that lives here and will bear the brunt of impacts from Zenith's haphazard and dishonest operations.

Thank you for your consideration. We are happy to talk about these issues in more detail.

Signed,

Edward Jones, Chair of the Linnton Neighborhood Association

Nancy Hiser, Tank the Tanks

Mary Stites, Staff Attorney, Northwest Environmental Defense Center

Dineen Crowe, Campaign Manager, 350PDX

Samantha Hernandez, Healthy Climate Program Director, Oregon Physicians for Social Responsibility

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[20] Columbia Riverkeeper, Zenith Energy's Legacy of Violations and Lies. Link.
[21] Data for Progress, *Portland Voters Are Ready to Vote Climate Leaders Into Office This November* (Oct. 29, 2024). Link.
[22] OAR 340-018-0050(2)(E). Supra, note 4.

Nick Caleb, Climate and Energy Attorney, Breach Collective

Date: Mon, 16 Dec 2024 10:33:23 PM (UTC)
Sent: Mon, 16 Dec 2024 10:33:22 PM (UTC)
Subject: Automatic reply: Letter from environmental community to City of Portland on Zenith Energy - Dec 16
From: King, Lauren <Lauren.King@portlandoregon.gov >
To: Oliveira, Donnie <Donald.Oliveira@portlandoregon.gov >;

Hello,

I am out of the office today. Please contact Allison McCoppen at allison.mccoppen@portlandoregon.gov for immediate assistance.

Thank you.